

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1           Claim 1 (currently amended): An incubator for culturing samples on culture containers  
2           inside a chamber adjusted to predetermined ambient conditions, the incubator being characterized  
3           in that a culture container accommodating rack having a plurality of culture container  
4           accommodating portions is disposed inside the chamber, the culture container accommodating rack  
5           accommodating culture containers having different heights, a culture container transport device  
6           being adapted to move the culture container into or out of a desired culture container accommodating  
7           portion within the chamber [[11]], a camera being attached in the chamber [[11]] and facing a  
8           specified position wherein the culture container is to be photographed, the sample on the culture  
9           container being photographable by transporting the culture container to the specified position.

1           Claim 2 (currently amended): An incubator for culturing samples on culture containers  
2           inside a chamber adjusted to predetermined ambient conditions, the incubator being characterized  
3           in that a culture container accommodating rack having a plurality of culture container  
4           accommodating portions is disposed inside the chamber, a culture container transport device being  
5           adapted to move the culture container into or out of a desired culture container accommodating  
6           portion within the chamber, a camera being attached in the chamber and facing a specified position

7 wherein the culture container is to be photographed, the sample on the culture container being  
8 photographable by transporting the culture container to the specified position, An incubator  
9 ~~according to claim 1~~ wherein the specified position wherein the culture container is to be  
10 photographed is provided on a particular accommodating portion of the accommodating rack to  
11 make it possible to photograph the sample on the container accommodated into said accommodating  
12 portion.

1 Claim 3 (currently amended): An incubator for culturing samples on culture containers  
2 inside a chamber adjusted to predetermined ambient conditions, the incubator being characterized  
3 in that a culture container accommodating rack having a plurality of culture container  
4 accommodating portions is disposed inside the chamber, a culture container transport device being  
5 adapted to move the culture container into or out of a desired culture container accommodating  
6 portion within the chamber, a camera being attached in the chamber and facing a specified position  
7 wherein the culture container is to be photographed, the sample on the culture container being  
8 photographable by transporting the culture container to the specified position, An incubator  
9 ~~according to claim 1~~ wherein the camera is attached to an output end of a camera drive mechanism,  
10 and is driven into the directions of two axes along a surface of the container.

1 Claim 4 (original): An incubator according to claim 1 wherein a signal output end of the  
2 camera is connected to display means, and an image photographed by the camera is shown on the

3 display means.

1 Claim 5 (original): An incubator according to claim 1 wherein a signal output end of the  
2 camera is connected to an analyzer for performing a predetermined image processing and calculation  
3 processing for an image signal obtained from the camera to analyze the sample on the container.

1 Claim 6 (withdrawn): An incubator for culturing samples on culture containers inside a  
2 chamber adjusted to predetermined ambient conditions, the incubator being characterized in that a  
3 microscopic observation unit is housed in the chamber, the microscopic observation unit having a  
4 microscopic observation device housed in a shield case with a closed construction, the shield case  
5 having an observation window disposed on a position opposed to a culture container accommodated  
6 in the chamber, the culture container being microscopic observable through the observation window  
7 by the microscopic observation device.

1 Claim 7 (withdrawn): An incubator according to claim 6 wherein the microscopic  
2 observation unit comprises a drive device for moving the microscopic observation device, the drive  
3 device and the microscopic observation device being housed in the shield case.

1 Claim 8 (withdrawn): An incubator according to claim 6 wherein a culture container  
2 transport device for transporting the culture container, and stacker holders for arranging thereon

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3     stackers having a plurality of culture container accommodating racks are arranged inside the  
4     chamber, the microscopic observation unit having a contour wherein the observation unit can be  
5     disposed on the stacker holder in place of the one or a plurality of stackers.

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